UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

UNITED STATES OF AMERICA,)
Plaintiff,)))
vs.) Case No. 3:11-cv-00913
25 BUNDLES OF INDIAN EBONY WOOD,	Judge William J. Haynes
Defendant.)

VERIFIED CLAIM CONTESTING FORFEITURE

Pursuant to Supplemental Rule G(5)(a) of the Federal Rules of Civil Procedure, Claimant, Gibson Guitar Corp. ("Gibson"), submits its Verified Claim contesting the forfeiture of the property at issue in this action. In support of its claim, Gibson states as follows:

- 1. Gibson asserts a claim to all of the property at issue in this action, namely the property the Government calls the "Defendant Property." (See Verified Complaint in Rem, Doc. No. 1, ¶ 1). Gibson ordered the property at issue and paid for the property at issue. Because of the Government's seizure, however, the property was never delivered to Gibson.
- 2. Gibson is a corporation organized under the laws of the State of Delaware with its principal place of business in Nashville, Tennessee. Gibson manufacturers and distributes guitars.
- 3. In a letter to Gibson dated September 29, 2011, the Government identified the Government attorney to whom Gibson's Verified Claim must be submitted, namely Debra

Teufel Phillips, Assistant United States Attorney at 110 9th Ave. South, Suite A-961, Nashville, TN 37203. Gibson is serving this Verified Claim on Ms. Phillips.

5. The September 29, 2011, letter further stated that Gibson must file its Verified Claim with the Court no later than November 3, 2011, meaning that this Verified Claim is timely.

VERIFICATION

I, Bruce Mitchell, General Counsel of Gibson Guitar Corp., hereby verify and declare the following:

That I have read the foregoing Verified Claim Contesting Forfeiture and know the contents thereof, and that the matters contained in the Verified Claim Contesting Forfeiture are true to my own knowledge.

Pursuant to 28 U.S.C. § 1746, I verify and declare under penalty of perjury of the laws of the United States of America that the foregoing is true and correct.

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Executed this _____ day of October 2011, at Nashville, Tennessee.

Bruce Mitchell, General Counsel of Gibson Guitar Corp.

Respectfully submitted,

s/ Tim Harvey

Timothy G. Harvey (BPR # 021509 Riley Warnock & Jacobson, PLC 1906 West End Avenue Nashville, TN 37202 (615) 320-3700 – telephone (615) 320- 3737 – facsimile tharvey@rwjplc.com

Attorneys for Gibson Guitar

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing has been served on October 18, 2011 upon the following via U.S. Mail and via the Court's Electronic Filing System:

Jerry E. Martin United States Attorney for the Middle District of Tennessee 110 Ninth Avenue South, Suite A-961 Nashville, Tennessee 37203-3870 jerry.martin2@usdoj.gov

Debra Teufel Phillips
United States Attorney for the
Middle District of Tennessee
110 Ninth Avenue South, Suite A-961
Nashville, Tennessee 37203-3870
deb.phillips@usdoj.gov

Attorneys for the United States of America

and will be served via hand delivery on October 19, 2011 upon

Debra Teufel Phillips Assistant United States Attorney Suite A-961 110 9th Ave. South Nashville, TN 37203

s/ Tim Harvey